

AN ORDINANCE      **97235**

**AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$2,676,772.82, HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$1,437,235.63, AND URBAN DEVELOPMENT ACTION GRANT (UDAG) FUNDS IN THE AMOUNT OF \$4,517,937.39 AVAILABLE FROM CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND CITY-WIDE PROJECT COMPLETIONS, CURRENT PROJECTS UNDER CONTRACT WITH AVAILABLE SURPLUS FUNDS, PROGRAM INCOME FUNDS AND CANCELLED PROJECTS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS IN CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6, 7, 9, 10 AND CITY-WIDE; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT; AUTHORIZING THE TRANSFER OF THE LEAD BASED PAINT HAZARD CONTROL PROGRAM, THE ASSOCIATED ACTIVITY CODES, INDEX CODES, PERSONNEL CLASSIFICATIONS AND PAYROLL RESPONSIBILITY FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO THE NEIGHBORHOOD ACTION DEPARTMENT; AMENDING ORDINANCE NO. 92035, PASSED AND APPROVED JUNE 22, 2000, BY CHANGING THE NAME OF U.U. HOUSING ASSISTANCE/PROJECT RENEW TO U.U. HOUSING OWNER OCCUPIED REHABILITATION – DISTRICT 1; AMENDING ORDINANCE NO. 95812, PASSED AND APPROVED MAY 16, 2002, BY CHANGING THE NAME OF U.U. HOUSING ASSISTANCE CORPORATION/PROJECT RENEW OWNER OCCUPIED REPAIR TO U.U. HOUSING OWNER OCCUPIED REHABILITATION – DISTRICT 1; RATIFYING THE RE-ALLOCATION AND RE-APPROPRIATION OF HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$119,680.00 FROM THE METHODIST FAMILY OXFORD TRACE APARTMENTS TO THE NEIGHBORHOOD HOUSING SERVICES OF SAN ANTONIO FIRST-TIME HOME-BUYERS PROGRAM.**

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**WHEREAS**, in the administration of the Community Development Block Grant (CDBG) Program, the HOME Investment Partnership Grant (HOME) and the Urban Development Action Grant (UDAG), funds available in previously-appropriated projects and program income may be retained by grantees for reprogramming to provide supplementation to existing projects and/or funding in support of new programs; and

**WHEREAS**, the City is a CDBG, HOME and UDAG fund grantee; and

**WHEREAS**, in connection with the current CDBG Program, the sum of \$2,676,772.82 is currently available in CDBG funds for said reprogramming and allocation; and

**WHEREAS**, in connection with the current HOME Program, the sum of \$1,437,235.63 is currently available in HOME funds for said reprogramming and allocation; and

**WHEREAS**, in connection with the current UDAG Program the sum of \$4,517,937.39 is currently available in UDAG funds for said reprogramming and allocation; and

**WHEREAS**, currently the City's Department of Housing and Community Development manages the Lead Based Paint Hazard Control Program; and

**WHEREAS**, it is the desire of City to transfer the Lead Based Paint Hazard Control Program to the City's Neighborhood Action Department, along with the associated activity codes, index codes, personnel classifications and payroll responsibility; and

**WHEREAS**, Ordinance No. 92035, passed and approved on June 22, 2000, adopted the FY 2000-2001 HOME Investment Partnership Grant (HOME) and authorized an allocation of funds to U.U. Housing Assistance/Project Renew; and

**WHEREAS**, in connection with said project, it is now necessary to change the name from U.U. Housing Assistance/Project Renew to U.U. Housing Owner Occupied Rehabilitation - District 1; and

**WHEREAS**, Ordinance No. 95812 passed and approved on May 16, 2002 adopted FY 2002-2003 HOME Investment Partnership Grant (HOME) and authorized an allocation of funds to U.U. Housing Assistance Corporation/Project Renew Owner Occupied Repair; and

**WHEREAS**, in connection with said project, it is now necessary to change the name from U.U. Housing Assistance Corporation/Project Renew Owner Occupied Repair to U.U. Housing Owner Occupied Rehabilitation - District 1; and

**WHEREAS**, in connection with the U.U. Housing Owner Occupied Rehabilitation - District 1 Project, it is necessary to reprogram \$45,000.00 from said project and allocate said funds to the Vista Points Townhome Development Project; and

**WHEREAS**, CDBG funds in the amount of \$119,680.00 were allocated to the Methodist Family Oxford Trace Apartments; and

**WHEREAS**, the Methodist Family Oxford Trace Apartments Project was not completed; and

**WHEREAS**, it was necessary to re-allocate and re-appropriate said CDBG funds to the Neighborhood Housing Services of San Antonio First-Time Home-Buyers Program; and

**WHEREAS**, pursuant to applicable HUD regulations, statutory requirements and/or City Council policy designed to ensure adequate citizen input, a public hearing is required prior to any reprogramming of or modification to CDBG, HOME and UDAG funds and projects, respectively and prior to the adoption of activities under the City's Community Development Program; and

**WHEREAS**, the required notice having been duly published, and said public hearing having been held before City Council on February 20, 2003, it is now the desire of the City to formally resolve the issues of allocating reprogrammable CDBG, HOME and UDAG funds; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Revisions to Community Development Block Grant (CDBG), HOME Investment Partnership Grant (HOME) and Urban Development Action Grant (UDAG) projects and the modifications to the budgets and reprogramming in support thereof in the amount of \$2,676,772.82, \$1,437,235.63 and \$4,517,937.39 respectively, are hereby approved in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as Attachment I. Said funds are hereby authorized to be reprogrammed to cover existing project shortfalls, modifications and/or the creation of new CDBG HOME and UDAG projects in accordance with Attachment I.

**SECTION 2.** Transfer of funds, expenditures and encumbrances necessitated and scheduled pursuant to the aforesaid Attachment I is hereby authorized for entry into the budgets as therein described. Any Program Income collected from UDAG related activities after this ordinance passes should be deposited as program income in the CDBG Program.

**SECTION 3.** Transfer of the Lead Based Paint Hazard Control Program from the Housing and Community Development Department to the Neighborhood Action Department, and the associated activity codes, index codes, personnel classifications and payroll responsibility is hereby authorized. Said activity codes, index codes, personnel classifications and pay ranges are hereby set out and incorporated herein as Attachment II.

**SECTION 4.** The re-allocation and re-appropriation of CDBG funds in the amount of \$119,680.00 from the Methodist Family Oxford Trace Apartments to the Neighborhood Housing Services of San Antonio First-Time Home-Buyers Program is hereby ratified.

**SECTION 5.** Ordinance No 92035, passed and approved June 22, 2000 is hereby authorized to be amended to change the name of U.U. Housing Assistance/Project Renew to U.U. Housing Owner Occupied Rehabilitation – District 1, and Ordinance No. 95812, passed and approved May 15, 2002 is hereby authorized to be amended to change the name of U.U. Housing Assistance Corporation/Project Renew Owner Occupied Repair to U.U. Housing Owner Occupied Rehabilitation – District 1.

**SECTION 6.** Funds in the amount of \$45,000.00 are hereby authorized to be allocated from the U.U. Housing Owner Occupied Rehabilitation – District 1 Project to the Vista Points Townhome Development Project set forth in Attachment I.

**SECTION 7.** The Director of the City's Finance Department is hereby authorized to effect on the books of the City the cancellations, revisions and reprogramming in support thereof, set forth in Attachment I. The City Manager, or in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or City's Director of Housing and Community Development is hereby authorized to execute any and all contracts and other documents as necessary for: (a) implementation of the reductions, revisions and reprogramming set forth in Attachment I; and (b) compliance with HUD rules, regulations and procedures, and to submit all certifications and such other information to and as required by HUD.

**SECTION 8.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or City Manager's Designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

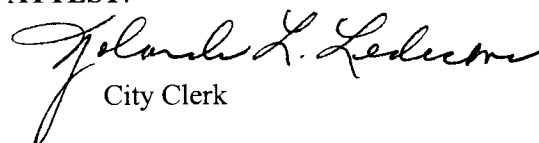
**SECTION 9.** This ordinance shall be effective on and after the tenth (10<sup>th</sup>) day after passage.

**PASSED AND APPROVED** this 20<sup>th</sup> day of February, 2003.

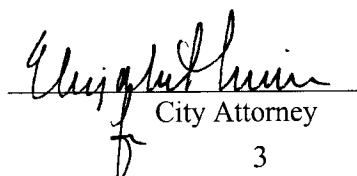
  
M A Y O R

EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney